

Attorney's Docket No.: C1104/7061

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alfred D. Ducharme, et al.  
Serial No.: 09/716,819  
Confirm. No.: 9031  
Filed: November 20, 2000  
For: SYSTEMS AND METHODS FOR GENERATING AND  
MODULATING ILLUMINATION CONDITIONS  
Examiner: Lee, Y. My Quach  
Art Unit: 2875

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 17<sup>th</sup> day of November, 2003.

  
Jeanne W. Chub

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

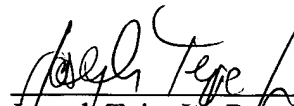
Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement, Form PTO-1449 and Cited References
- ☒ Return Receipt Postcard

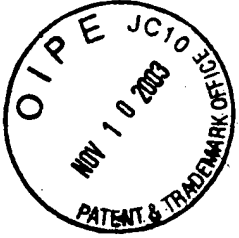
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch are respectfully requested to contact the undersigned at (617) 395-7000, Cambridge, Massachusetts.

A check in the amount of \$180.00 is enclosed. If a fee is insufficient, the Commissioner is hereby authorized to charge the balance to Deposit Account No. 50/2762. A duplicate of this sheet is enclosed.

Respectfully submitted,  
Alfred D. Ducharme, et al., Applicants

  
Joseph Teja, Jr., Reg. No. 45,157  
LOWRIE, LANDO & ANASTASI, LLP  
Riverfront Office Park  
One Main Street  
Cambridge, MA 02142  
(617) 395-7000  
Attorney for Applicants

Dated: November 17, 2003



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Jeanne W. Chub

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

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The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicants also wish to bring to the Examiner's attention the following information:

The seven German references listed on the attached form PTO-1449 (modified) were cited in at least one of five oppositions filed against a European counterpart to a U.S. patent currently assigned to the same assignee of the present application (i.e., Color Kinetics, Inc.). The European counterpart is EP Patent No. 1,016,062, EP Serial No. 98944539.0, corresponding to U.S. Patent No. 6,016,038 (U.S. Serial No. 08/920,146). The present application incorporates by reference U.S. Patent No. 6,016,038.

These seven German references originally were cited in an Information Disclosure Statement filed on October 27, 2003 in the present application. However, at that time, only English language translations of the Abstracts for some of these references were available. Applicants have since commissioned a full English translation for these seven references, and enclose the English translations herewith for the Examiner's consideration.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).


By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

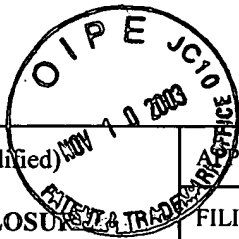
An early and favorable action is hereby requested.

Respectfully submitted,

*Alfred D. Ducharme, et al., Applicants*

  
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Joseph Teja, Jr., Reg. No. 45,157  
LOWRIE, LANDO & ANASTASI, LLP  
Riverfront Office Park  
One Main Street  
Cambridge, MA 02142  
(617) 395-7000  
Attorney for Applicant(s)

Attorney Docket No.: C1104/70061  
Dated: November 7, 2003



FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 09/716,819	ATTY. DOCKET NO.: C1104/70061
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: November 20, 2000	CONFIRMATION NO.: 9031
		APPLICANT: Alfred D. Ducharme, et al.	
		GROUP ART UNIT: 2875	EXAMINER: Y. Quach Lee
Sheet	1	of	1

#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		DE	9414689		Schlumer, Heinz-Dieter	02/02/1995	Yes
		DE	29620583	U1	Kundisch Microtech GmbH	03/27/1997	Yes
		DE	3917101		Rienecker Wolfgang Prof Dr Ing	11/29/1990	Yes
		DE	19602891	A1	Kammerer GmbH M	08/07/1997	Yes
		DE	3916875		Ullmann Ulo Werk	12/06/1990	Yes
		DE	19525897		Kostal Leopold GmbH & Co	10/02/1996	Yes
		DE	03837313		Cheng Eric	05/24/1989	Yes

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]